

SIXTIETH DAY

(Thursday, May 7, 1959)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation as follows:

"Holy Father, we pray for men and women to match these times. May these senators have vision, great hearts, and strong minds; may they love Thee, and keep Thy commandments; for this is the whole duty of man. We pray in the name of Him who loved us and gave Himself for us. Amen."

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday, was dispensed with and the Journal was approved.

Reports of Standing Committees

Senator Aikin submitted the following reports:

Austin, Texas,
May 7, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred H. B. No. 862, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman.

Austin, Texas,
May 7, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred H. B. No. 890, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman.

Senator Roberts submitted the following reports:

Austin, Texas,
May 7, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Legislative, Congressional and Judicial Districts, to whom was referred H. B. No. 436, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

ROBERTS, Chairman.

Austin, Texas,
May 7, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Legislative, Congressional and Judicial Districts, to whom was referred H. B. No. 542, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

ROBERTS, Chairman.

Austin, Texas,
May 7, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Legislative, Congressional and Judicial Districts, to whom was referred H. B. No. 518, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

ROBERTS, Chairman.

Senate Resolution 519

Senator Secrest offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate, 15 Seniors of Salado High School, accompanied by their teacher, Mr. James W. Adair; and

Whereas, These students of today are the citizens, leaders, and statesmen of tomorrow, who, with the acceptance of democracy's heritage, must carry on the responsibilities of self-government; and

Whereas, It is highly commendable that these young people are demonstrating, by their visit in the Senate, an interest in the processes of their state government; now, therefore, be it

Resolved, That we extend to these students a cordial welcome; and that a copy of this Resolution, bearing the official seal of the Senate, be sent to them in appreciation of their visit.

The resolution was read and was adopted.

Senator Secrest by unanimous consent presented the students and Mr. Adair to the Members of the Senate.

(Senator Lane in the Chair.)

Senate Concurrent Resolution 74

Senator Bradshaw offered the following resolution:

S. C. R. No. 74, Suspending Joint Rules to consider S. B. No. 473 at any time.

Be it Resolved, By the Senate of the State of Texas, the House of Representatives concurring, that the joint rules of both Houses be suspended and they are hereby suspended to allow either House to take up Senate Bill 473 at any time.

The resolution was read and held for referral.

Message from the House

Hall of the House of Representatives,
Austin, Texas,
May 7, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 999, An Act amending Section 6 of House Bill No. 156, Acts of the Fifty-sixth Legislature, Regular Session, 1959, relating to the collection of taxes in the Choctaw Watershed Water Improvement District; and declaring an emergency.

S. B. No. 152, A bill to be entitled "An Act relating to the advertising of the historical, natural, agricultural, industrial, educational, recreational, and other resources of Texas; providing for the creation of the Texas Development Board and prescribing the powers and duties thereof; prescribing the duties and responsibilities of the Texas Highway Department and Texas Industrial Commission relative to the program; authorizing acceptance and use of donations and appropriating donations previously made; providing for severability; and declaring an emergency."

(With amendment.)

S. B. No. 310, A bill to be entitled "An Act to amend Chapter 125, Acts of the Forty-fifth Legislature, 1937, as amended (codified as Article 6243e, Vernon's Annotated Civil Statutes), by adding thereto a new section to be numbered Section 10C, making participation in Firemen's Relief and Retirement Funds compulsory for firemen who were participating therein on July 22, 1957; and declaring an emergency."

H. C. R. No. 86, Creating the Election Law Study Committee.

The House has concurred in Senate amendments to House Bill No. 12 by vote of 109 ayes, 21 noes.

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

House Bill 518 Ordered Not Printed

On motion of Senator Ratliff and by unanimous consent H. B. No. 518 was ordered not printed.

Senate Resolution 520

Senator Dies offered the following resolution:

Whereas, We are honored today to

have as visitors in the Senate Harry Burns and John Burns; and

Whereas, We desire to welcome these distinguished visitors to the Capitol Building and Capital City; now, therefore, be it

Resolved, That their presence be recognized by the Senate of Texas and that they be extended the official welcome of the Senate.

The resolution was read and was adopted.

Senator Dies by unanimous consent presented the guests to the Members of the Senate.

Senate Resolution 521

Senator Krueger offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate, the Junior 4-H Club of St. Ludmila's Academy of Shiner, Texas, accompanied by their sponsors, Sister M. Regina and Sister M. Anastasia; and

Whereas, These students of today are the citizens, leaders, and statesmen of tomorrow, who, with the acceptance of democracy's heritage, must carry on the responsibilities of self-government; and

Whereas, It is highly commendable that these young people are demonstrating, by their visit in the Senate, an interest in the processes of their state government; now, therefore, be it

Resolved, That we extend to these students a cordial welcome; and that a copy of this Resolution, bearing the official seal of the Senate, be sent to them in appreciation of their visit.

The resolution was read and was adopted.

Senator Krueger by unanimous consent presented the students and their sponsors to the Members of the Senate.

House Bill on First Reading

The following bill received from the House, was read the first time and referred to the Committee indicated:

H. B. No. 999, To the Committee on Counties, Cities and Towns.

House Bills 261 and 262 Re-referred

On motion of Senator Aikin and by unanimous consent H. B. Nos. 261 and 262 were withdrawn from the Committee on Jurisprudence and re-referred to the Committee on Counties, Cities and Towns.

Senate Resolution 522

Senator Hardeman offered the following resolution:

Whereas, The Texas Senate is honored to have as its guest today Dr. Vincent P. Collins of Houston, Texas; and

Whereas, Dr. Collins is widely known for his outstanding and valuable research activity in all phases of cancer and tumor research; and

Whereas, Dr. Collins came to Texas in 1952, where he has gained recognition as Professor and Chairman of the Department of Radiology at Baylor University College of Medicine, as Radiologist-in-chief at Jefferson Davis Hospital, and as Chief Consultant in radiology at Veterans Administration Hospital; and

Whereas, He is a Fellow of American College of Radiology, Consultant in radiology to the Teletherapy Evaluation Program, Oak Ridge Institute of Nuclear Studies, and a member of the American Radium Society, American Roentgen Ray Society, Radiological Society of North America and the James Ewing Society; now, therefore, be it

Resolved, That the Texas Senate recognizes the great contributions of the distinguished Dr. Collins and welcomes him to the Senate with deep admiration and respect.

HARDEMAN
BAKER

The resolution was read and was adopted.

Senator Hardeman by unanimous consent presented Dr. Collins to the Members of the Senate.

House Bill 82 Re-referred

On motion of Senator Kazen and by unanimous consent H. B. No. 82 was withdrawn from the Committee on Jurisprudence and re-referred to the Committee on Interstate Cooperation.

Senate Resolution 523

Senator Krueger offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate, the 5-8th Grades, Hostyn School of La Grange, Texas, accompanied by their teachers, Sister Beatrice and Sister Mary Ann; and

Whereas, These students of today are the citizens, leaders, and statesmen of tomorrow, who, with the acceptance of democracy's heritage, must carry on the responsibilities of self-government; and

Whereas, It is highly commendable that these young people are demonstrating, by their visit in the Senate, an interest in the processes of their state government; now, therefore, be it

Resolved, That we extend to these students a cordial welcome; and that a copy of this resolution, bearing the official seal of the Senate, be sent to them in appreciation of their visit.

The resolution was read and was adopted.

Senator Krueger by unanimous consent presented the students and their teachers to the Members of the Senate.

Senate Resolution 525

Senator Hazlewood offered the following resolution:

Whereas, On July 17, 1871, Laura Vernon Hamner was born in Memphis, Tennessee, only child of Laura Hendrix Parker Hamner and Colonel James Henry Hamner; and

Whereas, She came to Texas in March, 1890, and later became the first historian of the Texas Panhandle and distinguished herself in newspaper, radio and lecture work—not only in educational and historical fields, but, in addition, set up and carried out programs of state, national and international relations of lasting importance to the nation; and

Whereas, Thirty-seven of her eighty-eight years have been given in direct service to the children of Texas—twenty-four years as a teacher, thirteen years as county superintendent of rural schools of Potter County; and

Whereas, The first book she wrote, "The No Gun Man of Texas," an historical biography of Colonel Charles Goodnight, the first pioneer owner of a large ranch in the Texas Panhandle; which book was adopted by the School Board of the State of Texas as a supplementary reader for the seventh grade; and

Whereas, She has had published three other books of historic value—fact stories of Texas and one of Alabama; and

Whereas, She organized the first county school fair in the State of Texas (the second such organization in the United States) and also what is thought to be the first district school fair in the United States; and

Whereas, She served on the State Board of Education and though she has dedicated herself to her chosen profession, she has continuously worked with and for children and young college students, giving them not only financial aid when needed, but personal attention, advice and encouragement; and during the first thirty years of her adulthood, she gave her strength, time, money and tender care to her two invalid parents; and

Whereas, When her parents passed away, she was faced with heavy debts of doctor bills, drugs, ambulance service, cemetery lots and other similar expenses, in the amount of ten thousand dollars, but nevertheless she paid every one of these debts with interest compounded annually, paying the last such debt at the age of seventy-seven, thereby leaving the school children of Texas such an example of respect and honor to parents and of personal honesty and integrity seldom—if ever—paralleled in our state and nation; and

Whereas, Because of the responsibilities which she felt toward her invalid parents, she was deprived of marriage and motherhood; and

Whereas, She mothered a baby that was given her and loved and kept him until his death three years later; and

Whereas, Despite her meager funds, she took two teen-age girls into her home and mothered, loved and supported them; one, for four years; the other, for nine years; and

Whereas, She was headlined as "Mother of a Region" in Progressive Farmer and once won honors of that

magazine as "Woman of the Year"; and

Whereas, She was invited by Captain George Grow of Los Angeles to represent the mothers of the United States in a Mothers' Day Broadcast originating in Los Angeles and carried over sixty-seven Armed Forces Radio Stations overseas, to the boys in service; and

Whereas, She was one of the organizers and the first secretary—an office she held for ten years—of the Western Cow-Punchers Association, known and famed throughout the western half of the nation; and also organized, and was the first President, of the Panhandle Pen Women; and

Whereas, When Holland was just beginning to rise from under the heel of Nazi oppression, she instituted through her columns in the Amarillo newspapers, and carried out for a number of years, an international project of publicity and good will, known as "Books for Holland"; and

Whereas, She was instrumental in bringing to an American college, a Japanese girl, Saku Nishizawa, who with her minister husband, are now in Japan teaching the English language to children, women, and men; lecturing and working toward a warmer and better understanding between the two nations; and

Whereas, In the last twenty-one years, Laura V. Hamner has written an estimated twenty-one million words, most of which are about Texas and Texans, an aggregation of fact-informative stories of early day history now known as the Laura V. Hamner Texana Collection; and

Whereas, She has arranged, filed and indexed this material into an easily accessible library to be used in research by historians of the future, Laura V. Hamner has again left a priceless heritage to the school children of the State of Texas and to the writers and historians of the future; and

Whereas, She has placed important documents in the archives of the West Tennessee Library at Nashville and in the archives of West Point, Mississippi—historical data of the War Between the States in which her father engaged in fifty-six battles, and where he received the bullet wound that was partially the cause of his years of invalidism; and

Whereas, In 1958, she was named the State Woman of Achievement of the Texas Women's Press Association; and

Whereas, Her contributions to the newspaper and radio professions and her continuous activities in civic, educational and religious life, and her interest in children goes on, despite her great labor toward collecting and preserving historic information; and

Whereas, In recognition of her activities in and for her adopted State of Texas, she has been awarded a life membership in the Panhandle Plains Historical Society, a life membership in the Daughters of the Republic, a life membership in the Texas Poetry Society and a life membership in the Panhandle Pen Women; and she is a member of the Texas Institute of Letters; and of the National Federation of Press Women; and

Whereas, It is the desire of the State of Texas to acknowledge her accomplishments; to express appreciation of her service to the State; and to bow in admiration of her courage and for her exemplary life; now, therefore, be it

Resolved, That the Senate of Texas salute Laura V. Hamner and extend to her its enthusiastic support in the competition for the National Award of Achievement from the National Federation of Press Women at its meeting next August in Portland, Oregon.

The resolution was read and was adopted.

House Bill 860 Re-referred

On motion of Senator Parkhouse and by unanimous consent H. B. No. 860 was withdrawn from the Committee on Jurisprudence and re-referred to the Committee on Counties, Cities and Towns.

Senate Resolution 526

Senator Dies offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate, the Senior Class of the Kirby High School of Woodville, Texas, accompanied by their teacher, Mrs. Ann Johnson; and

Whereas, These students of today are the citizens, leaders, and statesmen of tomorrow, who, with the ac-

ceptance of democracy's heritage, must carry on the responsibilities of self-government; and

Whereas, It is highly commendable that these young people are demonstrating, by their visit in the Senate, an interest in the processes of their state government; now, therefore, be it

Resolved, That we extend to these students a cordial welcome; and that a copy of this Resolution, bearing the official seal of the Senate, be sent to them in appreciation of their visit.

The resolution was read and was adopted.

Senator Dies by unanimous consent presented the students and their teacher to the Members of the Senate.

Senate Resolution 527

Senator Aikin offered the following resolution:

Whereas, We are honored today to have as a visitor in the Senate Hon. Harry Taylor of Mt. Pleasant, County Judge of Titus County; and

Whereas, We desire to welcome this distinguished visitor to the Capitol Building and Capital City; now, therefore, be it

Resolved, That his presence be recognized by the Senate of Texas and that he be extended the official welcome of the Senate.

The resolution was read and was adopted.

Senator Aikin by unanimous consent presented Judge Taylor to the Members of the Senate.

House Bill 436 Ordered Not Printed

On motion of Senator Baker and by unanimous consent H. B. No. 436 was ordered not printed.

Senate Resolution 528

Senator Gonzalez offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate, the Robert E. Lee Jr. High of San Antonio, 7th Grade, accompanied by their teacher, Lloyd N. Dyer; and

Whereas, These students of today are the citizens, leaders, and states-

men of tomorrow, who, with the acceptance of democracy's heritage, must carry on the responsibilities of self-government; and

Whereas, It is highly commendable that these young people are demonstrating, by their visit in the Senate, an interest in the processes of their state government; now, therefore, be it

Resolved, That we extend to these students a cordial welcome; and that a copy of this Resolution, bearing the official seal of the Senate, be sent to them in appreciation of their visit.

The resolution was read and was adopted.

Senator Gonzalez by unanimous consent presented the students and Mr. Dyer to the Members of the Senate.

Reports of Standing Committees

Senator Smith by unanimous consent submitted the following report:

Austin, Texas,
May 7, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Interstate Cooperation, to whom was referred H. B. No. 82, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

SMITH, Chairman.

Senator Aikin by unanimous consent submitted the following reports:

Austin, Texas,
May 7, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred H. B. No. 262, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman.

Austin, Texas,
May 7, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Coun-

ties, Cities and Towns, to whom was referred H. B. No. 261, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman.

Austin, Texas,
May 7, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred H. B. No. 999, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman.

Senator Bradshaw by unanimous consent submitted the following report:

Austin, Texas,
May 7, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Insurance, to whom was referred H. B. No. 506, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

BRADSHAW, Chairman.

Senate Concurrent Resolution 75

Senator Wood offered the following resolution:

S. C. R. No. 75, Granting permission to the District Judges to leave the State.

Whereas, The District Judges of the State of Texas may desire to leave the state sometime during the years 1959 and 1960 on personal business, and/or to take vacations; now, therefore, be it

Resolved, By the Senate of the State of Texas, the House of Representatives concurring, that the District Judges of Texas be, and they are hereby granted permission to be absent from the State of Texas at such intervals and for such time as they may see fit and proper during the years 1959 and 1960, taking into

consideration the condition of the docket of their courts.

The resolution was read.

On motion of Senator Wood and by unanimous consent the resolution was considered immediately and was adopted.

Senate Resolution 529

Senator Rogers offered the following resolution:

Whereas, We are honored today to have as visitors in the Senate W. F. Coker, Conray Lacy, David Blume and Louis Buchanan of Turkey, Texas; and B. Taylor and Robert Camp of Muleshoe, Texas; and

Whereas, We desire to welcome these distinguished visitors to the Capitol Building and Capital City; now, therefore, be it

Resolved, That their presence be recognized by the Senate of Texas and they be extended the official welcome of the Senate.

The resolution was read and was adopted.

Senator Rogers by unanimous consent presented the guests to the Members of the Senate.

House Bill 506 Ordered Not Printed

On motion of Senator Fly and by unanimous consent H. B. No. 506 was ordered not printed.

House Bill 966 Re-referred

On motion of Senator Fly and by unanimous consent H. B. No. 966 was withdrawn from the Committee on Jurisprudence and re-referred to the Committee on Counties, Cities and Towns.

House Bill 999 Ordered Not Printed

On motion of Senator Roberts and by unanimous consent H. B. No. 999 was ordered not printed.

Executive Session

On motion of Senator Reagan and special notice given on yesterday and by unanimous consent, the Senate agreed to hold an Executive Session at 11:06 o'clock a.m. today.

Accordingly, the Presiding Officer directed all those not entitled to attend the executive session of the Senate to retire from the Senate Chamber and instructed the Sergeant-at-Arms to close all doors leading from the Chamber.

At the conclusion of the executive session the Secretary of the Senate informed the Journal Clerk that the Senate had confirmed the following nominations of the Governor:

To be members of the Game and Fish Commission, for six-year terms to expire September 1, 1963: Frank Wood of Wichita Falls, Wichita County; Ben F. Vaughan, Jr., of Corpus Christi, Nueces County.

To be members of the State Board of Trustees of the Teachers Retirement System of Texas, for six-year terms to expire August 31, 1963: Miss Lois Gray of Fort Worth, Tarrant County; John V. Wheat of Houston, Harris County.

To be members of the Board of Directors of the Upper Colorado River Authority, for six-year term to expire January 1, 1965: K. V. Northington of Ballinger, Runnels County; J. R. Salmon of San Angelo, Tom Green County; Cumbie Ivey of Robert Lee, Coke County.

To be members of the Board of Directors of the Lower Concho River Water and Soil Conservation Authority, for six-year terms to expire January 1, 1965: Marion Sansom of Paint Rock, Concho County; M. L. Schulz of Eola, Concho County; Curtis Stevens of Millersview, Concho County.

To be a member of the State Board of Insurance, to fill the unexpired term of Joe P. Gibbs, resigned, term to expire January 31, 1959: Robert W. Strain of Austin, Travis County.

To be a member of the State Board of Insurance, for a six-year term to expire January 31, 1965: Robert W. Strain of Austin, Travis County.

To be a member and Chairman of the Liquor Control Board, for a six-year term to expire November 15, 1963: Summers A. Norman of Jacksonville, Cherokee County.

To be members of the Livestock Sanitary Commission, for six-year terms to expire September 7, 1963:

George Apple of McKinney, Collin County; Dr. Robert H. Hartman of Victoria, Victoria County.

To be members of the State Board of Medical Examiners, for six-year terms to expire April 13, 1963: Dr. Chester B. Gardner of Merkel, Taylor County; Dr. J. G. Rodarte of Temple, Bell County; Dr. David S. Stayer of Dallas, Dallas County; Dr. Garland Porter of Lubbock, Lubbock County.

To be members of the State Board of Vocational Nurse Examiners, for six-year terms to expire September 7, 1963: Mrs. Verlie Graham of Austin, Travis County; Mrs. Maris S. French of Sinton, San Patricio County; Mrs. Adele Cherry of Taylor, Williamson County.

To be members of the State Board of Plumbing Examiners, for six-year terms to expire May 28, 1963: Kurt A. J. Monier of San Antonio, Bexar County; J. C. Oliver of Stephenville, Erath County.

To be members of the State Board of Registration for Professional Engineers, for six-year terms to expire September 24, 1963: Thomas C. Green of Austin, Travis County; W. M. Andrews of Houston, Harris County.

To be a member of the State Board of Public Welfare, to fill the unexpired term of James D. Sartwelle, resigned, term to expire January 20, 1963: Will Bond of Hillsboro, Hill County.

To be a member of the Board of Managers of the Texas State Railroad, for a six-year term to expire April 8, 1963: Johnnie Herrington of Palestine, Anderson County.

To be a member of the State Board of Trustees of the Employees Retirement System of Texas: Mr. Gus Farrar of Austin, Travis County, Texas.

To be a member of the Employees Retirement Board, for a two-year term to begin September 26, 1958, and expire September 1, 1960: John Davenport of Austin, Travis County.

To be a member of the Board of Trustees of the State Employees Retirement System, for a six-year term expiring September 1, 1964: H. C. Pittman, Jr., of Austin, Travis County.

To be a member of the Board of Trustees of the Municipal Retirement System, to fill the unexpired term of William Schroeder, term to expire December 31, 1960: Frank Aldridge of Gainesville, Cooke County.

To be a member of the South Central Interstate Forest Fire Protection Compact Advisory Committee, to succeed A. E. Cudlipp, resigned: John W. Newton of Beaumont, Jefferson County.

To be a member of the South Central Interstate Forest Fire Protection Compact Advisory Committee: Webb Pedigo of Jasper, Jasper County.

To be members of the Texas Surplus Property Agency, for two-year terms to expire October 31, 1959: Clyde L. Arnold of Nacogdoches, Nacogdoches County; Rev. James A. Donnelly of Lampasas, Lampasas County; C. Read Granberry of Austin, Travis County; O. G. Hereford of Austin, Travis County; Theos S. Morek of Seguin, Guadalupe County; Ed Riedel of Austin, Travis County; C. A. Roberson, Jr., of Alpine, Brewster County; Wendell T. Seibert of Eastland, Eastland County; Dr. R. L. Williams of Corpus Christi, Nueces County.

To be a member of the State Board of Trustees of the Teachers Retirement System of Texas, to fill the unexpired term of Charles M. Rogers, resigned, term to expire August 31, 1961: Knox Kinard of Pampa, Gray County.

To be members of the Board of Directors of Texas Southern University, for six-year terms to expire February 1, 1963: Mack Hannah, Jr., of Port Arthur, Jefferson County; Dr. John Davis of Houston, Harris County; J. M. Odom of Austin, Travis County.

To be a member of the Texas Turnpike Authority, to fill the unexpired term of P. R. Rutherford, resigned, term to expire February 15, 1959: Clyde R. Ashworth of Arlington, Tarrant County.

To be members of the Commission to the National Conference on Uniform State Laws, for four-year terms to expire July 7, 1961: Tom Martin Davis of Houston, Harris County; A. J. Folley of Amarillo, Peter County;

Kenneth Woodward of Austin, Travis County; Ben H. Powell of Austin, Travis County; Talbot Rain of Dallas, Dallas County.

To be a member of the Veterans Affairs Commission, to fill the unexpired term of Albert S. Brown, Jr., resigned, term to expire June 12, 1959: Joe F. Ramsey, Jr., Houston, Harris County.

To be a member of the Veterans Land Board, for a four-year term to expire December 29, 1962: William Z. Gossett of El Campo, Wharton County.

To be a member of the State Board of Veterinary Medical Examiners, to fill the unexpired term of Dr. Victor L. Kothman, resigned, term to expire August 26, 1961: Dr. Billie C. Roberson of Abilene, Taylor County.

To be members of the State Board of Veterinary Medical Examiners, for six-year terms to expire August 26, 1963: Dr. John W. McCoy of Paris, Lamar County; Dr. Edward D. Dwelle of Alice, Jim Wells County.

To be a member of the Texas Water Development Board, for a six-year term to expire December 30, 1963: James D. Sartwelle of Houston, Harris County.

To be a member of the Texas Youth Council, to fill the unexpired term of Frank M. Wilson, resigned, term to expire September 1, 1963: W. C. Windsor, Jr., of Dallas, Dallas County.

The Secretary of the Senate also informed the Journal Clerk that the Senate had rejected the following nomination of the Governor:

To be member of the Game and Fish Commission for six-year term to expire September 1, 1963: J. W. Elliott of Mexia, Limestone County.

In Legislative Session

The President called the Senate to order as In Legislative Session at 12:04 o'clock p.m. today.

Message from the House

Hall of the House of Representatives,
Austin, Texas,
May 7, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to

inform the Senate that the House has passed the following:

S. C. R. No. 72, Designating Public Schools Week February 24 through March 5, 1960.

The House has concurred in Senate amendments to H. C. R. No. 106 by viva voce vote.

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Reports of Standing Committee

Senator Aikin by unanimous consent submitted the following reports:

Austin, Texas,
May 7, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred H. B. No. 966, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman.

Austin, Texas,
May 7, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred H. B. No. 860, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman.

Recess

On motion of Senator Hardeman the Senate at 12:05 o'clock p.m. took recess until 2:30 o'clock p.m. today.

After Recess

The President called the Senate to order at 2:30 o'clock p.m. today.

Bills and Resolutions Signed

The President signed in the presence of the Senate after the caption had been read the following enrolled bills and resolutions:

H. B. No. 18, A bill to be entitled "An Act providing for bonding State

officers and employees; prescribing the terms and conditions of such bonds; providing for the payment of premiums; prescribing the powers and duties of the State Board of Insurance, State Auditor, the Attorney General, and other agencies of the State; defining terms; repealing all laws in conflict; and declaring an emergency."

H. B. No. 27, A bill to be entitled "An Act authorizing the Board of Water Engineers to grant water permits for a term of years; providing that this Act be cumulative of other laws and declaring an emergency."

H. B. No. 69, A bill to be entitled "An Act authorizing the Board for Texas State Hospitals and Special Schools to sell certain described tracts of land which are a part of the site of the Rusk State Hospital; describing the manner of the sale; providing for disposition of the proceeds; and declaring an emergency."

H. B. No. 92, Providing for the election of school trustees by separate positions in certain independent school districts; providing that when the Board of Trustees adopt the procedure herein it may not rescind such action; repealing all laws in conflict except Statutes providing for election of school trustees by position number; and declaring an emergency."

H. B. No. 26, A bill to be entitled "An Act requiring a declaration of party affiliation or lack of party affiliation, on the voter's poll tax receipt, exemption certificate, or party registration certificate as a prerequisite to voting in a primary election or participating otherwise in certain party activities and making provisions relative to issuance and use of receipts and certificates containing information or party affiliation; providing for certain records; providing certain penalties; providing effective dates; and declaring an emergency."

H. B. No. 242, A bill to be entitled "An Act providing for the use of photographic, photostatic, microfilm or other accurately reproduced copies of original writing or written instruments in any judicial or administrative proceeding or trial where the original is produced at the time it is offered in evidence or is accounted for where there is no bona fide dispute as to the copy's accuracy."

H. B. No. 297, A bill to be entitled

"An Act authorizing the Board for Texas State Hospitals and Special Schools to determine the amount of land excess to the needs of the operation of the Kerrville State Home; to sell and convey same; and declaring an emergency."

H. B. No. 330, A bill to be entitled "An Act regulating the use and possession of certain fishing devices in or on or within one-half mile of certain tidal waters of Willacy County; prescribing penalties for violation; repealing laws in conflict; and declaring an emergency."

H. B. No. 342, A bill to be entitled "An Act to amend Acts of the 40th Legislature, 1927, Chapter 283, Section 1 (Compiled as Article 1011a V. A. C. S.), to authorize regulation of buildings and other structures for the purpose of preserving and protecting places and area of historical and cultural importance; and declaring an emergency."

H. B. No. 376, A bill to be entitled "An Act relating to peddling of printed matter by deaf persons; repealing Chapter 442, Acts of 54th Legislature, 1955; and declaring an emergency."

H. B. No. 420, A bill to be entitled "An Act to amend Section 1 of Chapter 156, Acts of the Fortieth Legislature, Regular Session, 1927, as amended (Article 200a, Vernon's Texas Civil Statutes), relating to Administrative Judicial Districts, by amending Section 1 thereof by removing Gillespie and Kimble Counties from the Third Administrative Judicial District to the Sixth Administrative Judicial District; and declaring an emergency."

H. B. No. 438, A bill to be entitled "An Act amending House Bill No. 803, Chapter 478, Acts of the 55th Legislature, Regular Session, 1957, authorizing the Board for Texas State Hospitals and Special Schools to convey certain land in Cherokee County, Texas; describing the manner of sale and disposition of proceeds; and declaring an emergency."

H. B. No. 463, A bill to be entitled "An Act authorizing the Texas National Guard Armory Board to convey certain lands in McLennan County, Texas; describing the manner of sale and disposition of proceeds; and declaring an emergency."

H. B. No. 482, A bill to be entitled "An Act amending Section 5, Chapter 14, Acts of the 52nd Legislature, Regular Session, 1951, (compiled as Article 934c, Vernon's Texas Penal Code) relating to the taking of menhaden fish so as to include under its provisions the additional Counties of Kleberg, Kenedy, Willacy, and Cameron; and declaring an emergency."

H. B. No. 509, A bill to be entitled "An Act amending Subsection (a) of Section 1 of Chapter 9, Acts of the 43rd Legislature, 1933, as amended, relating to agents to contract for county; and declaring an emergency."

H. B. No. 514, A bill to be entitled "An Act providing that the attendance of orphan, dependent or neglected children who are wards of the State shall be considered as eligible average daily attendance in the receiving school district(s) to which these children are transferred after approval by the County School Board and State Commissioner of Education; repealing conflicting laws, making this Act cumulative; and declaring an emergency."

H. B. No. 519, A bill to be entitled "An Act authorizing the Board of Regents of Lamar State College of Technology to sell certain college lands; authorizing the Chairman of the Board of Regents to execute and deliver the necessary conveyance to be approved by the Attorney General; providing for the disposition of the proceeds of the sale; and declaring an emergency."

H. B. No. 532, A bill to be entitled "An Act permitting Lamar County, through a county-wide election, to constitute itself a hospital district for the care of the county's indigent and needy; authorizing the Commissioners Court to levy a tax for the district for maintenance and operation of the county hospital system and for retirement of bonded indebtedness; etc.; and declaring an emergency."

H. B. No. 555, A bill to be entitled "An Act validating Hall and Donley Counties Water Control and Improvement District Number One; validating the boundaries of said District; validating all actions, orders, or other proceedings in connection with its creation, organization and operation; validating all actions, orders or other proceedings relating to the calling,

conducting and declaring the results of any confirmation election; validating all actions in authorizing the levy, assessment and collection of taxes and in adopting tax rolls; validating the appointment or elections of directors and prescribing their terms; providing that bonds of the District shall be authorized investments and eligible to secure deposits of public funds in certain instances; etc.; and declaring an emergency."

H. B. No. 559, An Act extending the automatic extension of time for each one hundred and sixty (160) acres improved in two (2) years and modifying and redefining "Reasonable Time" as being five (5) years as set forth in Senate Bill No. 341, Subsection (2), Section 2, and in Section 3 of Chapter 308, Acts of the Regular Session of the Fifty-fifth Legislature, which Act modified House Bill No. 743, General and Special Laws of Texas, Acts of the Fifty-fourth Legislature, relating to submerged and unsubmerged lands lying within an area known as Tract C, Laguna Madre Subdivision for Mineral Development, dated November 1, 1948, and revised September 1, 1951, by addition of "Cayo Del Oso" Subdivision; etc.; and declaring an emergency.

H. B. No. 573, A bill to be entitled "An Act to authorize the Lamar County Water Control and Improvement District, Number one (1), to levy, assess and collect a special assessment based upon actual benefits received by lands within the District arising from flood water retarding structures and dams in the District constructed by the District; etc.; and declaring an emergency."

H. B. No. 595, A bill to be entitled "An Act defining eminent domain powers of Bell County Water Control and Improvement District No. 5; and declaring an emergency."

H. B. No. 630, A bill to be entitled "An Act amending Chapter 206, Acts of the 50th Legislature, 1947, as amended, by adding thereto a new Section, 2b, relating to the salaries of investigators and assistants for the Criminal District Attorney of McLennan County; and declaring an emergency."

H. B. No. 639, A bill to be entitled "An Act amending Section 13 of Chapter 186, Acts of 1925, 39th Legislature, Regular Session, to provide

that contracts executed by the Highway Department for highway improvements may provide for partial payments to an amount not exceeding 95% of the value of the work done and that only 5% of the contract price need be retained until the entire work has been completed; providing a severability clause; and declaring an emergency."

H. B. No. 642, A bill to be entitled "An Act amending Article 10.05 and Article 10.18 of the Insurance Code; relating to the payment of benefits of a fraternal benefit society; providing that fraternal benefit societies, except those whose admitted assets are less than the sum of their accrued liabilities and reserves, may not be required to segregate their funds; and declaring an emergency."

H. B. No. 661, A bill to be entitled "An Act amending Section 4 of Article 923m, Revised Penal Code of Texas, 1925, as amended, to permit the hunting of mink with dogs in the Counties of Hopkins, Delta, Franklin, and Camp; and declaring an emergency."

H. B. No. 670, A bill to be entitled "An Act conferring upon counties the right of eminent domain within the boundaries of municipalities with the prior consent of the governing bodies of such municipalities where land, rights of ways or easements are, in the judgment of the Commissioners Court of such counties, necessary or convenient to any road which forms or will form a connecting link in the county road system or a connecting link in a State Highway; etc.; and declaring an emergency."

H. B. No. 698, A bill to be entitled "An Act amending Article 6954 of the Revised Civil Statutes of Texas, 1925, as amended, so as to make its provisions applicable to Willacy County; and declaring an emergency."

H. B. No. 703, A bill to be entitled "An Act to amend Title 128, Revised Civil Statutes of Texas, 1925, by the addition thereto of a new Article 7987-1 to provide an alternative method of naming supervisors in certain levee improvements districts by election; providing procedure for their election; prescribing their qualifications, terms of office, and compensation; providing for filling vacancies in their offices; retaining all

laws affecting levee improvement districts not in conflict herewith in full force; providing a severability clause; and declaring an emergency."

H. B. No. 713, A bill to be entitled "An Act validating the organization of Board of Regents of Junior College District and actions taken by such boards subsequent to organization; making law inapplicable to such boards now involved in litigation; and declaring an emergency."

H. B. No. 714, A bill to be entitled "An Act establishing a juvenile board in Liberty County; prescribing the membership and powers of the board and providing for compensation of its members; authorizing the board to appoint a juvenile officer; prescribing the powers and duties of the juvenile officer and providing for his compensation and expenses; repealing conflicting laws; providing for severability; and declaring an emergency."

H. B. No. 715, A bill to be entitled "An Act to amend Chapter 60, Acts of the 54th Legislature, Regular Session, 1955, by adding a new section to be known as Section 4-A, so as to provide that the members of the Board of Directors of the Jackson County Water Control and Improvement District Number One may receive the same fees of office as directors of similar districts operating under the provisions of Chapter 3A of Title 128, Revised Statutes of Texas, 1925, as amended; repealing conflicting laws to the extent of such conflict; and declaring an emergency."

H. B. No. 729, A bill to be entitled "An Act amending portions of the Texas Liquor Control Act; amending Sub-section (7) of Section 3-a of Article II of the Texas Liquor Control Act, Chapter 467, Acts of the Second Called Session of the Forty-fourth Legislature, as amended, to more clearly define the term "Premise"; and declaring an emergency."

H. B. No. 755, A bill to be entitled "An Act amending Chapter 141, Senate Bill No. 377, Acts 1957, 55th Legislature, R. S., specifically granting to the Willacy County Navigation District the power and authority to lease and/or grant easements over and along all real property owned and/or held by said District in fee simple, by Patent, Easement or otherwise, for

causeway, road and public utility purposes; repealing all laws or parts of laws in conflict herewith; and declaring an emergency."

H. B. No. 795, A bill to be entitled "An Act granting the Commissioners Court of Borden County the privilege of paying bounties on wild rabbits killed in the County at not to exceed Ten Cents (10c) for each rabbit; and declaring an emergency."

H. B. No. 798, A bill to be entitled "An Act amending Section 17 of Chapter 152, Acts of the Fifty-fifth Legislature, Regular Session, 1957, to extend for two years the regulation of wildlife by the Game and Fish Commission in Bexar County; and declaring an emergency."

H. B. No. 809, A bill to be entitled "An Act regulating fishing in Borden and Scurry Counties; providing a penalty for violation of this Act; providing a severability clause; and declaring an emergency."

H. B. No. 852, A bill to be entitled "An Act authorizing the Texas Department of Corrections to purchase a tract of land containing approximately 8300 acres within a radius of twenty-five miles of the City of Huntsville, Texas; providing that the total cost of said land shall not exceed \$1,250,000,000; providing that the Texas Board of Corrections shall select the tract of land and handle all transactions from securing the initial option on the land to the consummation of the transaction; etc.; and declaring an emergency."

H. B. No. 856, A bill to be entitled "An Act to exempt from existing statutes regulating the length of motor vehicles which may be operated in this State and from statutes regulating the distance which a load may extend beyond the front or rear of motor vehicles such vehicles or combinations of vehicles used exclusively to transport poles required for the maintenance of electric power transmission and distribution lines; imposing conditions governing such vehicles; repealing all laws and parts of laws in conflict herewith; containing a severability clause, and declaring an emergency."

H. B. No. 920, A bill to be entitled "An Act to authorize the creation of a Hospital District within Jefferson County including only the area com-

prising the Jefferson County Drainage District No. 7 and the Port Arthur Independent School District as such boundaries existed on the 1st day of January, 1957.

H. B. No. 939, An Act declaring the legislative policy of the State as to Lavon Lake in Collin County in regard to game; regulating the use of boats and water skis on said Lavon Lake; regulating and prohibiting the use and discharge of firearms on said Lavon Lake; providing penalties for violations; designating peace officers of Collin County and game wardens to make inspections of boats and other watercraft on Lavon Lake and to enforce provisions of the Act; authorizing Commissioners Court of Collin County to expend county funds for the administration and enforcement of this Act; providing severability; and declaring an emergency.

H. B. No. 554, A bill to be entitled "An Act validating all road bonds heretofore voted and authorized under the provisions of Article 3, Section 52 of the Constitution of Texas by a 3/4 vote of those qualified to vote thereon and validating all proceedings pertaining to such bonds; etc.; and declaring an emergency."

H. B. No. 273, A bill to be entitled "An Act concerning suits for compensation for real estate brokerage services; amending House Bill 17, Acts of the 46th Legislature, 1939 as amended; and declaring an emergency."

H. C. R. No. 108, Authorizing the Enrolling Clerk of the House to correct the wording of Senate Amendment No. 2 to House Joint Resolution No. 6.

H. C. R. No. 114, Suspending the Joint Rules to consider H. B. No. 763.

H. J. R. No. 6, Proposing an Amendment to Section 11, Article XVI of the Constitution of the State of Texas, so as to give the Legislature authority to classify loans and lenders, license and regulate lenders, define interest, set maximum rates of interest, and provide for a maximum rate of interest of ten per centum (10%) per annum in the absence of legislation setting maximum rates of interest; providing for the necessary election and the form of the ballot; and providing for the necessary proclamation and publication.

H. B. No. 172, A bill to be entitled "An Act authorizing the State Highway Commission and the State Parks Board to enter into and perform contracts for the construction of roads in and adjacent to State Parks, in conformity with Chapter 340, Acts of the Fifty-third Legislature, Regular Session; providing a severance clause; and declaring an emergency."

H. B. No. 233, A bill to be entitled "An Act granting additional powers to the Willacy County Navigation District; and declaring an emergency."

H. B. No. 922, An Act to authorize and require the appointment of official shorthand reporters in each District Court and each County Court at Law heretofore and hereinafter created in counties having a population of eight hundred thousand (800,000) or more, according to the last preceding federal census; etc., and declaring an emergency."

House Bill 82 Ordered Not Printed

On motion of Senator Kazen and by unanimous consent H. B. No. 82 was ordered not printed.

House Bill 860 Ordered Not Printed

On motion of Senator Parkhouse and by unanimous consent H. B. No. 860 was ordered not printed.

House Bills 261 and 262 Ordered Not Printed

On motion of Senator Lane and by unanimous consent H. B. Nos. 261 and 262 were ordered not printed.

Report of Standing Committee

Senator Colson by unanimous consent submitted the following report:

Austin, Texas,
May 7, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Public Health, to whom was referred H. B. No. 842, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

COLSON, Chairman.

Message from the House

Hall of the House of Representatives
Austin, Texas,
May 7, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 763, A bill to be entitled "An Act providing that provisional teacher's certificates entitling the holders thereof to teach in high schools and junior high schools of this State shall be issued to applicants who hold bachelor's degrees from accredited four-year institutions of higher education in this State, or in any other State of the United States; providing that completion of teacher education courses shall not be made a requisite to the issuance of such certificates; repealing all laws and parts of laws in conflict; and declaring an emergency."

S. B. No. 61, A bill to be entitled "An Act amending Section 1 of Article 8309 of the Revised Civil Statutes of Texas, 1925, as amended, to re-define the term 'average weekly wages' as used in said Act; and declaring an emergency."

(With Amendments.)

H. B. No. 49, A bill to be entitled "An Act amending Section 3 of Article II of Acts of the 54th Legislature, R. S., Chapter 404, p. 1080, (1955), codified as Article 7065b-14a of Vernon's Annotated Civil Statutes; and declaring an emergency."

H. B. No. 391, A bill to be entitled "An Act to amend Article 3.39 of Chapter 3 of the Insurance code (Acts of 1951, 52nd Legislature, as amended by the Acts of 1955, 54th Legislature, Page 916, Chapter 363, Section 12) to regulate the investment of the funds of life insurance companies; and to amend Article 3.40 of Chapter 3 of the Insurance Code (Acts of 1951, 52nd Legislature, as amended by the Acts of 1955, 54th Legislature, page 916, Chapter 363, Section 13) by adding to said Article provisions permitting life insurance companies to acquire, secure, hold and convey, in addition to real property now authorized by law, branch

office buildings and parking facilities as shall be requisite for its accommodation in the transaction of its business and for lease and rental and other real property as an investment for the production of income, subject to certain restrictions, limitations and exceptions; repealing conflicting laws and parts of laws to the extent of such conflict; and declaring an emergency."

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Senate Resolution 530

Senator Herring offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate, members of the 3rd and 4th Grade Classes of Hutto Elementary School, Hutto, Texas, accompanied by their teacher and sponsor, Mrs. J. S. Quebe and Mrs. Eric Brown; and

Whereas, These students are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine group of young American citizens is here to observe and to learn at firsthand the workings of their State government; now, therefore, be it

Resolved, That we officially recognize and welcome these guests and commend them for their interest; and that a copy of this Resolution, properly endorsed, bearing the official seal of the Senate, be mailed to the class in recognition of their visit.

The resolution was read and was adopted.

Senator Herring by unanimous consent presented the students and teacher and sponsor to the Members of the Senate.

Senate Bill 61 with House Amendments

Senator Willis called S. B. No. 61 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Willis moved that the Senate do not concur in the House amend-

ments, but that a conference committee be appointed to adjust the differences between the two Houses on the bill.

The motion prevailed.

Accordingly, the President announced the appointment of the following conferees on the part of the Senate on the bill: Senators Willis, Lane, Hardeman, Moore and Dies.

Nomination of Governor Withdrawn

The President laid before the Senate the following message received from the Governor today:

Austin, Texas,
May 7, 1959.

To the Senate of the Fifty-sixth Legislature:

At the request of the nominee, I ask the consent of the Senate to the withdrawal of the following nomination: Board of Directors, A. & M. College of Texas: John Biggs of Vernon, Wilbarger County.

Respectfully submitted,
PRICE DANIEL
Governor

The message was read.

On motion of Senator Reagan and by unanimous consent of the Senate, the request of the Governor to withdraw the nomination was granted.

Nomination of Governor Withdrawn

The President laid before the Senate the following message received from the Governor today:

Austin, Texas,
May 7, 1959.

To the Senate of the Fifty-sixth Legislature:

At the request of the nominee, I ask the consent of the Senate to the withdrawal of the following nomination: Board of Regents, North Texas State College: Roger M. Ramey of Fort Worth, Tarrant County.

Respectfully submitted,
PRICE DANIEL
Governor

The message was read.

On motion of Senator Reagan and by unanimous consent of the Senate, the request of the Governor to withdraw the nomination was granted.

Executive Session

On motion of Senator Reagan and by unanimous consent, the Senate agreed to hold an Executive Session at 2:38 o'clock p.m. today.

Accordingly, the President directed all those not entitled to attend the executive session of the Senate to retire from the Senate Chamber and instructed the Sergeant-at-Arms to close all doors leading from the Chamber.

At the conclusion of the executive session the Secretary of the Senate informed the Journal Clerk that the Senate had confirmed the following nominations of the Governor:

To be members of the Texas Real Estate Commission, for six-year terms to expire October 5, 1963: Arthur E. Baird of San Antonio, Bexar County; T. H. McDonald of Amarillo, Potter County.

To be a member of the Board of Pardons and Paroles, for a six-year term to expire February 1, 1965: Jack Ross, Edinburg, Hidalgo County.

To be State Auditor of the State of Texas, for the term expiring February 15, 1961: C. H. Cavness of Austin, Travis County.

In Legislative Session

The President called the Senate to order as in Legislative Session at 3:40 o'clock p.m. today.

House Bill 966 Ordered Not Printed

On motion of Senator Fly and by unanimous consent H. B. No. 966 was ordered not printed.

House Bill 735 on Second Reading

On motion of Senator Lane and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 735, A bill to be entitled "An Act authorizing expenditures from pre-existing appropriations for furnishing and equipping the Supreme Court Building and for moving specified courts and judicial units thereto during the summer recess of such courts, by amending Chapter 385, Acts, 1957, 55th Legislature, Reg-

ular Session; prescribing the manner and purposes of such expenditures; and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 735 on Third Reading

Senator Lane moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that H. B. No. 735 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Lane
Baker	Martin
Bradshaw	Moffett
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood

Absent

Moore

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

House Bills on First Reading

The following bill received from the House was read the first time and referred to the Committee indicated:

H. B. No. 391, To the Committee on Insurance.

Message from the House

Hall of the House of Representatives
Austin, Texas,
May 7, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 11, A bill to be entitled "An Act promoting safety by regulating vessels, water skiing, and aquaplaning upon the waters of this State; conferring powers and imposing duties on the Game and Fish Commission, prescribing penalties; and declaring an emergency."

H. B. No. 287, A bill to be entitled "An Act exempting from registration any farm trailer or farm semi-trailer when the gross weight is under 14,000 pounds, by amending Section 2 of Chapter 88, General Laws of the 41st Legislature, Second Called Session, 1929, as last amended; and declaring an emergency."

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Committee Substitute

House Bill 440 on Third Reading

On motion of Senator Lane and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its third reading and final passage:

C. S. H. B. No. 440, A bill to be entitled "An Act providing, with some exceptions, for procedure applicable to appeals or proceedings for judicial review of any decision, ruling, rule, regulation, or order of any department, officer, or other administrative agency of the State government, including a provision that the preponderance-of-the-evidence rule to resolve disputed fact questions shall be applicable to some issues, and the substantial-evidence rule shall be applicable to other issues; specifying the au-

thority and duty of the trial court; providing for an appeal; repealing laws and parts of laws in conflict, and supplementing provisions of existing laws not in conflict; and declaring an emergency."

The bill was read third time and was passed.

Record of Votes

Senators Parkhouse, Hazlewood, Fuller and Ratliff asked to be recorded as voting "Nay" on the final passage of C. S. H. B. No. 440.

Conference Committee on House Bill 135

On motion of Senator Hardeman and by unanimous consent his name was withdrawn from the Conference Committee on H. B. No. 135.

On motion of Senator Roberts and by unanimous consent his name was withdrawn from the Conference Committee on H. B. No. 135.

Senate Resolution 531

Senator Roberts offered the following resolution:

Whereas, We are honored today to have as visitors in the Senate, Mr. Carl Hyatt, co-owner of the Commerce Journal; Harriett Hyatt, Regional winner in journalism; Mrs. Lois Hineman, journalism instructor at Commerce High School; Carolyn Sue Adams, editor of the Commerce High School newspaper; Mrs. Dorothy Kennemer, business instructor; Patsy Painter, Regional winner in shorthand; and Mr. Marvin W. Kirkman, Superintendent, Commerce Public Schools; all of Commerce, Texas; and

Whereas, These visitors are attending the annual Interscholastic League State Meet in Austin; and

Whereas, We desire to welcome these distinguished visitors to the Capitol Building and Capital City; now, therefore, be it

Resolved, That their presence be recognized by the Senate of Texas and that they be extended the official welcome of the Senate.

The resolution was read and was adopted.

Senate Concurrent Resolution 74 Withdrawn

On motion of Senator Bradshaw and by unanimous consent S. C. R. No. 74 introduced this morning was withdrawn.

Senate Resolution 532

Senator Owen offered the following resolution:

Whereas, It is the desire of the Senate to name Andrew Jacob, better known as "Jake," son of our distinguished colleague, Senator Andy Rogers and Mrs. Rogers, Mascot of the Texas Senate; and

Whereas, The photograph of Jake, a handsome young man of unusual and pleasing personality and the pride and joy of his parents, would enhance the block picture of the Senate; now, therefore, be it

Resolved, That Jake be declared Mascot of the Senate of the 56th Legislature; and that his photograph be included in the block picture of the Senate; and, be it further

Resolved, That a copy of this Resolution be sent to this young man; and that the Senate now go on record as extending to him its best wishes for his happiness during his entire lifetime.

The resolution was read and was adopted.

Report of Standing Committee

Senator Bradshaw by unanimous consent submitted the following report:

Austin, Texas,
May 7, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Insurance, to whom was referred H. B. No. 391, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

BRADSHAW, Chairman.

House Bill 391 Ordered Not Printed

On motion of Senator Bradshaw and by unanimous consent H. B. No. 391 was ordered not printed.

House Bill 354 on Second Reading

On motion of Senator Fly and by

unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 354, A bill to be entitled "An Act creating the Texas Commission on State and Local Tax Policy; providing for the appointment of members of said Commission; directing the Commission to make comprehensive studies of property taxation and its administration by local and state governments, and of other revenue and taxation measures; providing authority to use aid and services in making such studies; specifying the kinds and dates of reports to be made by the Commission; providing for the termination of such Commission; and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 354 on Third Reading

Senator Fly moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that H. B. No. 354 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—23

Aikin	Moffett
Baker	Moore
Bradshaw	Parkhouse
Colson	Phillips
Dies	Ratliff
Fly	Reagan
Gonzalez	Roberts
Hardeman	Secrest
Hazlewood	Smith
Krueger	Weinert
Lane	Wood
Martin	

Nays—5

Crump	Owen
Fuller	Rogers
Kazen	

Absent

Herring	Willis
Hudson	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Record of Votes

Senators Kazen and Fuller asked to be recorded as voting "Nay" on the final passage of H. B. No. 354.

Senate Resolution 533

Senator Moffett offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate the senior class of Newcastle High School, Newcastle, Young County, Texas, accompanied by Mr. A. D. Cummings, Principal of Newcastle High School, and their sponsor, Mr. Bobbye Lee Robertson; and

Whereas, These students are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine group of young American citizens is here to observe and to learn at firsthand the workings of their State government; now, therefore, be it

Resolved, That we officially recognize and welcome these guests and commend them for their interest; and that a copy of this Resolution, properly endorsed, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senate Resolution 534

Senator Krueger offered the following resolution:

Whereas, We are honored today to have as visitors in the Senate, Jack Kraus of Round Top and A. F. Reinke of Waller; and

Whereas, We desire to welcome these distinguished visitors to the Capitol Building and Capital City; now, therefore, be it

Resolved, That their presence be recognized by the Senate of Texas and that they be extended the official welcome of the Senate.

The resolution was read and was adopted.

Motion in Writing

Senator Hardeman submitted the following Motion in Writing:

I move to suspend Senate Rule 60 in order to permit the Senate to con-

sider a motion to request the House of Representatives to return House Bill 158 for reconsideration.

HARDEMAN

The Motion in Writing was read and was adopted by the following vote:

Yeas—30

Aikin	Lane
Baker	Martin
Bradshaw	Moffett
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood

Nays—1

Moore

Senate Resolution 536

Senator Hardeman offered the following resolution:

Whereas, Senate Rule 60 has been suspended to permit reconsideration of House Bill 158 by the Senate; now, therefore be it

Resolved by the Senate of Texas that the House of Representatives be requested to return said H. B. 158 to the Senate for further consideration.

The resolution was read and was adopted.

Senate Resolution 535

Senator Lane offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate, the following members of the Debating Team of the Carthage High School: Bruce Baker, Marilyn Harris, Kay Cariker and Aubrey Fargarson, accompanied by their sponsors, Mr. and Mrs. Earl Cariker; and

Whereas, These students of today are the citizens, leaders, and statesmen of tomorrow, who, with the acceptance of democracy's heritage, must carry on the responsibilities of self-government; and

Whereas, It is highly commendable that these young people are demonstrating, by their visit in the Senate, an interest in the processes of their state government; now, therefore, be it

Resolved, That we extend to these students a cordial welcome; and that a copy of this Resolution, bearing the official seal of the Senate, be sent to them in appreciation of their visit.

The resolution was read and was adopted.

Senator Lane by unanimous consent presented the guests to the Members of the Senate.

House Bill on First Reading

The following bill received from the House was read the first time and referred to the committee indicated:

H. B. No. 11 to The Committee on Game and Fish.

House Bill 597 Re-referred

On motion of Senator Owen and by unanimous consent H. B. No. 597 was withdrawn from the Committee on State Affairs and re-referred to the Committee on Counties, Cities and Towns.

House Bill 278 on Second Reading

On motion of Senator Bradshaw and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 278, A bill to be entitled "An Act creating the office of District Attorney for the 43rd Judicial District of Texas, and providing for his selection, compensation and duties; fixing an effective date; and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 278 on Third Reading

Senator Bradshaw moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that H. B. No. 278 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27

Aikin	Moffett
Baker	Moore
Bradshaw	Owen
Colson	Phillips
Dies	Ratliff
Fly	Reagan
Fuller	Roberts
Gonzalez	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

Nays—4

Crump	Martin
Hardeman	Parkhouse

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Record of Votes

Senators Aikin, Hardeman and Martin asked to be recorded as voting "Nay" on the final passage of H. B. No. 278.

House Concurrent Resolution 123
on Second Reading

On motion of Senator Fuller and by unanimous consent the President laid before the Senate on its second reading the following resolution:

H. C. R. No. 123, Suspending Joint Rules to consider H. J. R. No. 1 at any time.

The resolution was read and was adopted.

House Bill 87 on Second Reading

Senator Smith asked unanimous consent to suspend the regular order of business and take up H. B. No. 87 for consideration at this time.

There was objection.

Senator Smith then moved to suspend the regular order of business and take up H. B. No. 87 for consideration at this time.

The motion prevailed by the following vote:

Yeas—22

Aikin	Colson
Baker	Fly

Fuller	Owen
Gonzalez	Phillips
Hazlewood	Ratliff
Herring	Reagan
Hudson	Rogers
Kazen	Secrest
Krueger	Smith
Moffett	Willis
Moore	Wood

Nays—9

Bradshaw	Martin
Crump	Parkhouse
Dies	Roberts
Hardeman	Weinert
Lane	

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 87, A bill to be entitled "An Act amending Subdivision 106 of Article 199, Revised Civil Statutes of Texas, 1925, as amended, reorganizing the 106th Judicial District of Texas; creating the 121st Judicial District of Texas to be composed of the counties of Terry, Dawson, Gaines and Yoakum, and providing for the terms of said Judicial Districts; etc.; and declaring an emergency."

The bill was read second time and was passed to third reading by the following vote:

Yeas—20

Baker	Moore
Colson	Owen
Fuller	Phillips
Gonzalez	Ratliff
Hazlewood	Reagan
Herring	Rogers
Hudson	Secrest
Kazen	Smith
Krueger	Willis
Moffett	Wood

Nays—11

Aikin	Lane
Bradshaw	Martin
Crump	Parkhouse
Dies	Roberts
Fly	Weinert
Hardeman	

Motion to Place

House Bill 87 on Third Reading

Senator Smith moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that H. B. No. 87 be placed on its third reading and final passage.

The motion was lost by the following vote (not receiving four-fifths vote of the Members present):

Yeas—22

Aikin	Moffett
Baker	Moore
Colson	Owen
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Willis
Krueger	Wood

Nays—9

Bradshaw	Martin
Crump	Parkhouse
Dies	Roberts
Hardeman	Weinert
Lane	

House Bill 168 on Second Reading

Senator Owen asked unanimous consent to suspend the regular order of business and take up H. B. No. 168 for consideration at this time.

There was objection.

Senator Owen then moved to suspend the regular order of business and take up H. B. No. 168 for consideration at this time.

The motion prevailed by the following vote:

Yeas—23

Baker	Owen
Bradshaw	Parkhouse
Colson	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hazlewood	Roberts
Herring	Secrest
Hudson	Smith
Kazen	Willis
Krueger	Wood
Moffett	
Moore	

Nays—7

Aikin	Lane
Crump	Martin
Dies	Weinert
Fly	

Absent

Hardeman

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 168, A bill to be entitled "An Act creating an additional district court in Ector County, Texas, to be known as the 161st Judicial District; providing the terms and jurisdiction of said court; providing for the appointment and election of the district judge for said court; prescribing the powers, duties, term of office and compensation of the judge of said court; providing for the appointment of an official court reporter for said court; etc.; and declaring an emergency."

The bill was read second time and was passed to third reading.

Record of Votes

Senators Lane, Martin, Dies, Aikin, Weinert, Hudson, Crump and Fly asked to be recorded as voting "Nay" on the passage of H. B. No. 168 to third reading.

Motion to Place

House Bill 168 on Third Reading

Senator Owen moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that H. B. No. 168 be placed on its third reading and final passage.

The motion was lost by the following vote (not receiving four-fifths vote of the Members present):

Yeas—23

Aikin	Owen
Baker	Parkhouse
Colson	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hazlewood	Roberts
Herring	Rogers
Hudson	Secrest
Kazen	Smith
Krueger	Willis
Moffett	Wood
Moore	

Nays—6

Crump	Lane
Dies	Martin
Fly	Weinert

Absent

Bradshaw

Hardeman

Motion to Place House Bill 436 on Second Reading

Senator Baker asked unanimous consent to suspend the regular order of business and take up H. B. No. 436 for consideration at this time.

There was objection.

Senator Baker then moved to suspend the regular order of business and take up H. B. No. 436 for consideration at this time.

The motion was lost by the following vote (not receiving two-thirds vote of the Members of the Senate):

Yeas—16

Baker	Owen
Colson	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hazlewood	Rogers
Herring	Secrest
Kazen	Smith
Moffett	Willis

Nays—12

Aikin	Krueger
Bradshaw	Lane
Crump	Martin
Dies	Parkhouse
Fly	Roberts
Hudson	Weinert

Absent

Hardeman	Wood
Moore	

House Bill 542 Ordered Not Printed

On motion of Senator Secrest and by unanimous consent H. B. No. 542 was ordered not printed.

House Bill 518 on Second Reading

On motion of Senator Ratliff and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 518, A bill to be entitled 'An Act amending Section 6, Chapter 7, Acts of the 52nd Legislature, Regular Session, as amended, (compiled as Article 199, No. 132, of Vernon's Texas Civil Statutes) to provide that the temporary 132nd Judicial District, composed of Scurry and Borden Counties, shall be made a per-

manent Judicial District; and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 518 on Third Reading

Senator Ratliff moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that H. B. No. 518 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27

Aikin	Martin
Baker	Moffett
Bradshaw	Owen
Colson	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Willis
Krueger	Wood
Lane	

Nays—2

Crump	Weinert
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Absent

Hardeman	Moore
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The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Motion to Place House Bill 542 on Second Reading

Senator Secrest asked unanimous consent to suspend the regular order of business and take up H. B. No. 542 for consideration at this time.

There was objection.

Senator Secrest then moved to suspend the regular order of business and take up H. B. No. 542 for consideration at this time.

The motion was lost by the following vote (not receiving two-thirds vote of the Members present):

Yeas—17

Baker	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hazlewood	Rogers
Herring	Secrest
Kazen	Smith
Krueger	Willis
Moffett	Wood
Owen	

Nays—12

Aikin	Hudson
Bradshaw	Lane
Colson	Martin
Crump	Parkhouse
Dies	Roberts
Fly	Weinert

Absent

Hardeman	Moore
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Report of Standing Committee

Senator Aikin by unanimous consent submitting the following report:

Austin, Texas,
May 7, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred H. B. No. 597, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman.

House Bill 597 Ordered Not Printed

On motion of Senator Owen and by unanimous consent H. B. No. 597 was ordered not printed.

House Bill 38 on Second Reading

Senator Crump asked unanimous consent to suspend the regular order of business and take up H. B. No. 38 for consideration at this time.

There was objection.

Senator Crump then moved to suspend the regular order of business and take up H. B. No. 38 for consideration at this time.

The motion prevailed by the following vote:

Yeas—20

Baker	Bradshaw
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Colson	Moffett
Crump	Parkhouse
Fuller	Ratliff
Hardeman	Rogers
Herring	Secrest
Kazen	Smith
Krueger	Weinert
Lane	Willis
Martin	Wood

Nays—9

Aikin	Owen
Dies	Phillips
Fly	Reagan
Gonzalez	Roberts
Hudson	

Absent

Hazlewood	Moore
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The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 38, Amending Section 9, 10, 11 and 13 of Chapter 52, Acts of the Forty-first Legislature, First Called Session, 1929, compiled as Section 9, 10, 11 and 13 of Article 1525b, Vernon's Annotated Penal Code, so as to regulate the movement of livestock and domestic fowl into the State of Texas; providing a penalty for violation; and declaring an emergency.

The bill was read second time and was passed to third reading by the following vote:

Yeas—17

Bradshaw	Moffett
Colson	Parkhouse
Crump	Ratliff
Fuller	Rogers
Hardeman	Secrest
Herring	Smith
Kazen	Willis
Krueger	Wood
Martin	

Nays—12

Aikin	Lane
Baker	Owen
Dies	Phillips
Fly	Reagan
Gonzalez	Roberts
Hudson	Weinert

Absent

Hazlewood	Moore
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Motion to Place

House Bill 38 on Third Reading

Senator Crump moved that the

Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that H. B. No. 38 be placed on its third reading and final passage.

The motion was lost by the following vote (not receiving four-fifths vote of the Members present):

Yeas—18

Bradshaw	Martin
Colson	Moffett
Crump	Parkhouse
Gonzalez	Ratliff
Hardeman	Rogers
Herring	Secrest
Kazen	Smith
Krueger	Willis
Lane	Wood

Nays—11

Aikin	Owen
Baker	Phillips
Dies	Reagan
Fly	Roberts
Fuller	Weinert
Hudson	

Absent

Hazlewood	Moore
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House Bill 597 Ordered Printed

Senator Owen moved to reconsider the vote by which H. B. No. 597 was ordered not printed.

On motion of Senator Owen and by unanimous consent H. B. No. 597 was ordered printed.

House Bills on First Reading

The following bills received from the House were read the first time and referred to the Committees indicated:

H. B. No. 287, To the Committee on Transportation.

H. B. No. 49, To the Committee on Counties, Cities and Towns.

Bills and Resolutions Signed

The President signed in the presence of the Senate after the captions had been read, the following enrolled bills and resolutions:

S. C. R. No. 26, Granting Kerr-McGee Oil Industries, Inc., permission to sue the State of Texas.

S. C. R. No. 27, Granting George A. Fuller Company permission to sue the State of Texas.

S. C. R. No. 34, Granting Dean Skinner permission to sue the State of Texas.

S. C. R. No. 38, Granting Cyril Verstuyft et ux. permission to sue the State of Texas.

S. C. R. No. 39, Granting Marie Verstuyft permission to sue the State of Texas.

S. C. R. No. 40, Granting Remi Aelvoet et ux. permission to sue the State of Texas.

S. C. R. No. 58, Memorializing Congress relative to importation of foreign labor to the ranch and agricultural areas.

S. C. R. No. 70, Suspending Joint Rules so that S. B. No. 423 may be considered at any time in the House.

S. C. R. No. 71, Suspending Joint Rules in order to take up H. B. No. 437 at any time.

S. B. No. 73, A bill to be entitled "An Act amending Section 4 of Chapter 95, Acts of the Fifty-first Legislature. Regular Session, 1949, as amended (Section 4 of Article 4590c, Vernon's Texas Civil Statutes), relating to organization, officers and compensation of the State Board of Examiners in the Basic Sciences; and declaring an emergency."

S. B. No. 74, A bill to be entitled "An Act amending Section 5 of Chapter 95, Acts of the 51st Legislature, Regular Session, 1949, as amended (Section 5 of Article 4590c, Vernon's Texas Civil Statutes), relating to fees payable to the State Board of Examiners in the Basic Sciences by applicants for certificates issued by the Board; and declaring an emergency."

S. B. No. 75, A bill to be entitled "An Act to amend Article 6066 of the Revised Civil Statutes of Texas of 1925; and declaring an emergency."

S. B. No. 76, A bill to be entitled "An Act to amend Article 6065 of the Revised Civil Statutes of Texas of 1925; and declaring an emergency."

S. B. No. 92, A bill to be entitled "An Act relating to expenses of mem-

bers of the Commissioners' Court in connection with the use of privately owned automobiles for traveling on official business within the County; amending Chapter 456, Acts of the Fifty-second Legislature, 1951, as amended by Chapter 437, Acts of the Fifty-fourth Legislature, 1955, by amending Section 3b thereof, providing that the County Judge of such Counties affected by the Act shall be authorized to receive the same amount of car allowance as paid to the Commissioners; and declaring an emergency."

S. B. No. 121, A bill to be entitled "An Act providing for the protection and promotion of the public health and welfare by providing for the development, establishment, and enforcement of certain standards in the construction, maintenance and operation of hospitals by the Licensing Agency; providing that no person or governmental unit shall establish, conduct, or maintain a hospital without a license; providing for the appointment of a Hospital Licensing Director; etc.; and declaring an emergency."

S. B. No. 146, A bill to be entitled "An Act amending Section 1, Chapter 184, Acts of the 44th Legislature, Regular Session, 1935, as amended (codified in Vernon's as Section 1 of Article 5890b, Vernon's Civil Statutes) providing for the creation of the Texas National Guard Armory Board so as to change the membership of the Board; providing certain present members of the Board shall continue to serve as members for the remainder of their terms of office; prescribing certain powers and duties of the members of the Board; providing a severability clause; and declaring an emergency."

S. B. No. 169, A bill to be entitled "An Act amending Section 407 of the Texas Probate Code so as to abolish the absolute necessity of publishing citation upon the filing of an account for final settlement; and declaring an emergency."

S. B. No. 173, A bill to be entitled "An Act providing that South-West Natural Gas Company, or its successors and assigns, in lieu of obtaining refund, may use its judgment against the State of Texas, exclusive of any interest thereon accrued either prior or subsequent to the date of its

judgment, as offsets against future tax liabilities to the State of Texas, and directing the Comptroller of Public Accounts and other officers to recognize said judgment and to allow same as offsets against such tax liabilities, with certain exceptions; etc.; and declaring an emergency."

S. B. No. 181, A bill to be entitled "An Act amending Section 1, Chapter 291, Acts of the Forty-seventh Legislature, Regular Session, 1941, as amended by Chapter 356, Acts of the Fifty-fifth Legislature, Regular Session, 1957; providing for revision and compilation of Abstract Volumes by the Commissioner of the General Land Office; providing for the distribution of such volumes; providing for the sale of surplus volumes; providing for payment of moneys received from such sales into the General Revenue Fund; and declaring an emergency."

S. B. No. 192, A bill to be entitled "An Act amending Section 7, Chapter 229, Acts 1947, 50th Legislature, as amended by Chapter 457, Acts 1949, 51st Legislature, and further amended by Chapter 178, Acts 1953, 53rd Legislature, providing a saving clause, and declaring an emergency."

S. B. No. 195, A bill to be entitled "An Act prescribing the annual license fee for the registration of a motor vehicle owned and operated by a nonprofit service organization and designed, constructed and used primarily for promotion, demonstration or parade purposes, where such vehicle is not licensed for registration under other laws of this State; providing a severability clause and declaring an emergency."

S. B. No. 232, A bill to be entitled "An Act amending Chapter 402, Acts of the Regular Session of the Fifty-fifth Legislature (as heretofore amended), pertaining to the Employees Retirement System of Texas; declaring the Act to be severable; and declaring an emergency."

S. B. No. 234, A bill to be entitled "An Act amending Chapter 75, Acts of the Regular Session of the 54th Legislature pertaining to Teacher Retirement System and Employees Retirement System."

S. B. No. 235, A bill to be entitled "An Act authorizing any and all agencies of the State of Texas to

make transfers of personal property to one another with or without reimbursement; defining agencies; prescribing certain duties of the Comptroller of Public Accounts with regard to such transfers; providing other provisions relating thereto; providing that this Act shall be cumulative; and declaring an emergency."

S. B. No. 241, A bill to be entitled "An Act amending Article 14.17 of the Insurance Code of the State of Texas so as to further define associations not coming within the provisions of Article 14.16 and 14.17; providing a severability clause; and declaring an emergency."

S. B. No. 242, A bill to be entitled "An Act repealing Section 3A, Chapter 44, Page 64, Acts 49th Legislature, Regular Session, 1945, concerning sale of sand and gravel by the City of Austin; and declaring an emergency."

S. B. No. 252, A bill to be entitled "An Act relating to examination fees for credit unions; amending Section 5 of Chapter 87, Acts of the 33rd Legislature, Regular Session 1913, as amended (codified as Article 2465 of Vernon's Texas Civil Statutes), so as to provide that each credit union examined by the Department of Banking shall pay an examination fee not to exceed Fifty-five (\$55.00) Dollars per day per person engaged in each examination or a total fee of Ten (\$10.00) Dollars per One Thousand (\$1,000.00) Dollars of assets or fraction thereof as reflected by the examination, whichever is lower, with a minimum of Ten (\$10.00) Dollars; and declaring an emergency."

S. B. No. 257, A bill to be entitled "An Act amending Chapter 475, Page 1201, Acts of the Regular Session of the 54th Legislature, 1955 (codified as Article 331g-1, Vernon's Texas Civil Statutes) by adding thereto a new section designated as Sec. 2a, concerning the authority to carry arms and to make arrests, vested in certain investigators appointed by county attorneys in counties having a population in excess of thirty-seven thousand (37,000) according to the preceding Federal Census; and declaring an emergency."

S. B. No. 271, A bill to be entitled "An Act amending Article 2843, Revised Civil Statutes of Texas 1925, as last amended by Senate Bill 37, Chap-

ter 470, Acts of the 51st Legislature, Regular Session, 1949; and declaring an emergency."

S. B. No. 272, A bill to be entitled "An Act authorizing state travel regulations; describing officials and employees to whom the regulations apply; defining the method of travel reimbursement; establishing certain limitations for reimbursement; etc., and declaring an emergency."

S. B. No. 286, A bill to be entitled "An Act relating to the unlawful use of certain nets and other devices for catching fish and shrimp in certain defined waters of Matagorda Bay and the Gulf of Mexico; providing penalties for violation; providing that the Act shall be cumulative; and declaring an emergency."

S. B. No. 289, A bill to be entitled "An Act authorizing any nonprofit corporation incorporated under the laws of this State for charitable purposes and affiliated or associated with a medical center having a recognized medical school and which has for its purpose the support of medical facilities dedicated to the use and benefit of the public, situated in certain counties, to exercise the power of eminent domain; providing for the conveyance or leasing of such property under certain conditions; granting the right of reverter to the original owner upon abandonment of purpose; providing for severability; and declaring an emergency."

S. B. No. 290, A bill to be entitled "An Act amending Chapter 75, Acts of the Regular Session of the 50th Legislature (relating to the Texas Municipal Retirement System), as heretofore amended, amending Subsections 25 and 26 of Section 11 of said Act; amending Subsection 1 of Section IV (a) of Subsection 2 of Section IV of said Act; amending paragraph (a) of Subsection 1 of Section V and Subsections 6 and 7 of Section V of said Acts; etc.; and declaring an emergency."

S. B. No. 296, A bill to be entitled "An Act ratifying, confirming and validating Bexar County Water Control and Improvement District No. 16 and declaring it to be a validly existing and operating conservation and reclamation district under Section 59, Article 16, Constitution of Texas; etc., and declaring an emergency."

S. B. No. 312, A bill to be entitled

"An Act to amend Section 1 of Chapter 241, Acts of 1935, Forty-fourth Legislature, Page 575, as amended by Section 2 of Chapter 310, Acts of 1937, Forty-fifth Legislature, Page 621, (being commonly referred to as V.A.C.S., Article 6047c-1, Section 1), by amending Sub-section (a) thereof, and by amending the definition of 'cigarette' as used in the said statute, and defining the word 'cigar' as used in said Act, and distinguishing between 'cigarette' and 'cigar' as used in said Statute; and declaring an emergency."

S. B. No. 316, A bill to be entitled "An Act authorizing counties, cities, water control and improvement districts, drainage districts and other political subdivisions to enter contracts with soil conservation districts for the joint acquisition of right-of-ways or joint construction, or maintenance of dams, flood detention structures, canals, drains, levees and other improvements for flood control and drainage as related to flood control, and for making necessary outlets, and maintaining them; providing that such contracts shall contain such terms; provisions and details as the governing bodies of the respective political subdivisions determine to be necessary under all the facts and circumstances, etc., and declaring an emergency."

S. B. No. 344, A bill to be entitled "An Act amending Article 7122 of the Revised Civil Statutes of Texas of 1925, as last amended; broadening and specifically setting out exemptions from the inheritance tax on certain foreign bequests; providing for application to persons dying before the effective date under given conditions; repealing all laws in conflict; and declaring an emergency."

S. B. No. 349, A bill to be entitled "An Act defining certain terms as used herein; providing that any county, municipality, taxing district or other political district or subdivision, commission, authority, department or other public agency of the state authorized to borrow money, etc., and declaring an emergency."

S. B. No. 352, A bill to be entitled "An Act amending Sections 17, 18, and 19, of Chapter 290, Acts of the 41st Legislature, as amended by the 44th Legislature, 1935, so as to provide for the creation of Union Junior College Districts where there are two

or more contiguous independent school districts, or two or more contiguous common school districts, or a combination of one or more independent school districts, with one or more common school districts of contiguous territory, having a combined taxable wealth of not less than \$9,500,000 and having a scholastic population of not less than 7,000, etc., and declaring an emergency."

S. B. No. 367, A bill to be entitled "An Act amending Article 519 of the Penal Code of Texas, 1925, defining the offense of pandering and providing a penalty therefor; and declaring an emergency."

S. B. No. 377, A bill to be entitled "An Act to amend Subdivision 2 of Article 3.39 of Chapter 3 of the Insurance Code (Acts of 1951, 52nd Legislature, Chapter 491, as amended by the Acts of 1955, 54th Legislature, Page 916, Chapter 363, Section 12) to regulate the investments of the funds of life insurance companies; to amend Article 3.34 of Chapter 3 of the Insurance Code (Acts of 1951, 52nd Legislature, Chapter 491, as amended by the Acts of 1953, 53rd Legislature, Chapter 115, Section 1) so as to redefine the term "Texas Securities" to include promissory notes and other obligations, etc., and declaring an emergency."

S. B. No. 379, A bill to be entitled "An Act to amend Article 21.26, Chapter 21, of the Insurance Code (Acts of 1951, 52nd Legislature, Chapter 491) providing for consolidation of any two or more insurance companies; by adding to said article a new section to be designated Sec. 6, providing that valid investments made by the absorbed corporations, consolidated or merged under the provisions of Article 21.26 of the Insurance Code shall be valid investments of the new or reorganized corporation; repealing all conflicting laws or parts of laws to the extent of such conflict; and declaring an emergency."

S. B. No. 381, A bill to be entitled "An Act amending Section 1 of Chapter 262, Acts of the 55th Legislature, Regular Session, 1957 (Article 2745c, Vernon's Texas Civil Statutes), to add provisions relating to applications of candidates for county school trustee or trustee of a school district and preparation of the official ballot; etc., and declaring an emergency."

S. B. No. 395, A bill to be entitled "An Act to amend Chapter 78, Acts of the Regular Session of the 53rd Legislature (Vernon's Article 8280-147), which created Northeast Texas Municipal Water District, conferring on the District certain additional powers; enacting other provisions related to the subject, and declaring an emergency."

S. B. No. 297, A bill to be entitled "An Act creating a conservation and reclamation district under the provisions of Section 59, Article 16, Constitution of Texas, to be known as 'Bexar County (Oak Hills) Water Control and Improvement District'; defining the boundaries of the District; finding filed notes and boundaries; etc., and declaring an emergency."

S. B. No. 299, A bill to be entitled "An Act creating a conservation and reclamation district under the provisions of Section 59, Article 16, Constitution of Texas, to be known as 'Bexar County (Northwest) Water Control and Improvement District'; defining the boundaries of the District; finding field notes and boundaries form a closure; etc.; and declaring an emergency."

S. B. No. 310, A bill to be entitled "An Act to amend Chapter 125, Acts of the Forty-fifth Legislature, 1937, as amended (codified as Article 6243e, Vernon's Annotated Civil Statutes), by adding thereto a new section to be numbered Section 10C, making participation in Firemen's Relief and Retirement Funds compulsory for firemen who were participating therein on July 22, 1957; and declaring an emergency."

S. B. No. 401, A bill to be entitled "An Act to amend Section 7, Chapter 310, page 522, Acts, 52nd Legislature, 1951, so as to include certain amendments and sections of the General Law contained in Articles 8306, 8307, and 8309, Revised Civil Statutes of Texas, 1925, as amended, and Chapter 248, page 415, Acts 1931, 42nd Legislature, as amended (codified as Article 8306a, Vernon's Civil Statutes of Texas); providing for severability; and declaring an emergency."

S. B. No. 412, A bill to be entitled "An Act creating 'Del Mar Conservation District' under and in accordance with the provisions of Article XVI, Section 59, of the Constitution, comprising certain territory lying wholly

in Webb County, Texas, for the purpose of providing a source of water supply and the distribution thereof for municipal, domestic and industrial use, processing and transporting it, etc.; and declaring an emergency."

S. B. No. 416, A bill to be entitled "An Act creating a conservation and reclamation district under Article XVI, Section 59, of the Constitution, to be known as the 'Grayson County Water and Sewer Authority,' for the purpose of providing or acquiring a source or sources of water supply for domestic and industrial users and processing, transporting and distributing the same and for the purpose of providing or acquiring a sanitary sewer system; etc.; and declaring an emergency."

S. B. No. 421, A bill to be entitled "An Act to amend Article 14, Section 123, Chapter 421, Acts of 40th Legislature, Regular Session, 1947, Codified as Article 6701-D of Vernon's Texas Statutes, regulating the use of lighting equipment as warning or signal devices on motor vehicles; repealing all laws in conflict herewith; and declaring an emergency."

S. B. No. 424, A bill to be entitled "An Act to amend Subsection 2 of Section 1, Chapter 451, Acts of the Regular Session, 51st Legislature of Texas, 1949, as amended by Chapter 206 of the Acts of the Regular Session of the Fifty-second Legislature of Texas, 1951, so as to include the President of Texas Woman's University as a member of the Cotton Research Committee; and declaring an emergency."

S. B. No. 439, A bill to be entitled "An Act creating a Juvenile Board for Gray County and designating the Chairman thereof; providing additional compensation for county and district judges serving thereon; stating the effect of this Act on existing laws; and declaring an emergency."

S. B. No. 441, A bill to be entitled "An Act to amend Subsection H of Section 5 of H. B. No. 20, Acts of the 46th Legislature, Regular Session, 1939, Chapter 3, Page 7, as amended, to permit withdrawal of territory from one Soil Conservation District and the inclusion of such territory within an adjoining Soil Conservation District; etc.; and declaring an emergency."

S. B. No. 443, A bill to be entitled

"An Act to validate Procion 49, Abstract No. 1529, Certificate 1767, Original Grantee City of Laredo, Webb County, Texas, containing 5314 acres of land, more or less, being one of the Laredo Porciones Title to which was divested out of the Crown of Spain by the Laredo General Visita and authorizing and requiring the Commissioner of The General Land Office to issue a patent to The City of Laredo, and its assigns, to said Porcion 49, and declaring an emergency."

S. B. No. 447, A bill to be entitled "An Act creating a conservation and reclamation district under the provisions of Section 59, Article XVI of the Constitution of Texas, to be known as the 'Upper Nueces Conservation and Reclamation District'; defining the powers of the District and providing for its management and operation; declaring the act to be severable; and declaring an emergency."

S. B. No. 450, A bill to be entitled "An Act amending Chapter 55, page 156, Acts of the 40th Legislature of Texas, Regular Session, 1927, to enlarge the governing body of Brazos River Harbor Navigation District of Brazoria County; prescribing the manner of electing such commissioners and the terms of office thereof; validating the acts, orders and proceedings of the governing body of said District; enacting other provisions relating to the subject; and providing a severability clause."

S. B. No. 456, A bill to be entitled "An Act to authorize the governing board of certain Junior College Districts to purchase additional lands; authorizing such governing board to fix reasonable tuition or registration fees under stated conditions; authorizing such governing boards to issue its notes for the purchase of said lands, and making full provisions relative to the issuance, sale, maturity, terms, total amount of, refunding of, and other matters pertaining to said notes; etc.; and declaring an emergency."

S. B. No. 466, A bill to be entitled "An Act validating, ratifying and confirming certain conveyances by the City of Freeport to Brazoria County Drainage District No. 2 (also known as Velasco Drainage District of Brazoria County, Texas) and authorizing said Drainage District to maintain, repair, improve and extend the

seawalls and other improvements so conveyed; prescribing a severability clause; and declaring an emergency."

House Bill 187 on Second Reading

Senator Colson asked unanimous consent to suspend the regular order of business and take up H. B. No. 187 for consideration at this time.

There was objection.

Senator Colson then moved to suspend the regular order of business and take up H. B. No. 187 for consideration at this time.

The motion prevailed by the following vote:

Yeas—26

Aikin	Moore
Baker	Owen
Bradshaw	Parkhouse
Colson	Phillips
Dies	Ratliff
Fly	Reagan
Fuller	Roberts
Gonzalez	Rogers
Herring	Secrest
Hudson	Smith
Krueger	Weinert
Lane	Willis
Moffett	Wood

Nays—3

Crump	Martin
Hardeman	

Absent

Hazlewood	Kazen
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The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 187, An Act changing the name of the Livestock Sanitary Commission to the Texas Animal Health Commission; and declaring an emergency.

The bill was read the second time.

Question—Shall H. B. No. 187 be passed to third reading?

(Senator Martin in the Chair.)

Report of Standing Committee

Senator Aikin by unanimous consent submitted the following report:

Austin, Texas,
May 7, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred H. B. No. 49, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman.

Message from the House

Hall of the House of Representatives
Austin, Texas,
May 7, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. C. R. No. 9, Directing the Commission on Higher Education to make a survey and prepare a guide regarding the residency status of students under the provisions of House Bill No. 265, Acts of the Fifty-fifth Legislature, and directing the governing boards of state institutions of higher education to follow this guide.

H. C. R. No. 25, Requesting state colleges and universities to file operating budgets and amendments thereto in the State Library.

H. C. R. No. 38, Granting permission for Billy Barron Melton, through his legally authorized guardian, to sue the State of Texas.

H. C. R. No. 52, Granting permission for Holland Page to sue the State.

H. C. R. No. 65, Requesting the Legislative Council to make a study of the laws relating to child care and juvenile delinquency, and to prepare for submission to the Fifty-seventh Legislature a codification of such laws together with any recommended changes therein.

H. C. R. No. 70, Relative to the studying of the State's fiscal system by the Texas Research League.

H. C. R. No. 73, Granting permission to John T. Furnish to sue the State of Texas.

H. C. R. No. 87, Requesting the Legislative Council and the Citizens Advisory Committee to continue their study of the Constitution of Texas, as described by H. C. R. No. 13, making an interim report to the Fifty-seventh Legislature in 1961 and a final report to the Fifty-eighth Legislature in 1963.

H. C. R. No. 92, Requesting the Texas Legislative Council to study municipal annexation and report its findings to the Fifty-seventh Legislature.

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

House Bill 842 Ordered Not Printed

On motion of Senator Wood and by unanimous consent H. B. No. 842 was ordered not printed.

Session for Consideration of Local and Uncontested Bills Calendar

On motion of Senator Hardeman and by unanimous consent, the Senate agreed to hold a session for the consideration of a Local and Uncontested Bills Calendar on tomorrow following the Morning Call.

House Concurrent Resolution on First Reading

The following resolution received from the House, was read the first time and referred to the Committee indicated:

H. C. R. No. 52, To the Committee on Jurisprudence.

Message from the House

Hall of the House of Representatives
Austin, Texas,
May 7, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

The House is returning House Bill No. 158 for further consideration by the Senate.

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Adjournment

Senator Crump moved that the Senate stand adjourned until 10:30 o'clock a.m. tomorrow.

Senator Owen moved that the Senate stand adjourned until 9:30 o'clock a.m. tomorrow.

Question of the motion to adjourn, yeas and nays were demanded.

Senator Crump then withdrew his motion to adjourn until 10:30 o'clock a.m. tomorrow.

The motion to adjourn until 9:30 o'clock a.m. tomorrow prevailed by the following vote:

Yeas—15

Bradshaw	Dies
Crump	Fly

Hardeman
Herring
Hudson
Kazen
Lane
Martin

Moore
Owen
Parkhouse
Roberts
Weinert

Nays—14

Aikin
Baker
Colson
Gonzalez
Krueger
Moffett
Phillips

Ratliff
Reagan
Rogers
Secrest
Smith
Willis
Wood

Absent

Fuller

Hazlewood

Accordingly, the Senate at 5:39 o'clock p.m. adjourned until 9:30 o'clock a.m. tomorrow.

In Memory of
Charles R. Burrow

Senator Hazlewood offered the following resolution:

(Senate Resolution 524)

Whereas, In the passing of Charles R. Burrow on the 20th day of April, 1959, the City of Canyon and the State of Texas lost an outstanding citizen with a long life dedicated to the service of his State and local community, to his family and to his Church; and

Whereas, Charles R. Burrow was born in Shelbyville, Texas, on November 6, 1878, later moving to Comanche County, where he spent his childhood, having later moved to Canyon in the year 1898, and the following year became associated with a widely-known Texas lumber firm, Rockwell Brothers Lumber Company of Houston; and

Whereas, Charles R. Burrow, after many years of faithful employment by said Rockwell Brothers Lumber Company, established his own lumber company in Canyon in the year 1919 which he still owned and operated at the time of his death, which company flourished and prospered by reason of his never-ceasing and never-ending efforts and labors directed to the successful operation of his business; and

Whereas, Charles R. Burrow became the dean of the Panhandle-Plains lumbermen, and was honored not only as President of the Panhandle Lumbermen's Association, but also was President of the Texas Lumbermen's Association; and

Whereas, Charles R. Burrow, even though he directed his energies to the successful operation of his own company, as well as to the operation of many other lumber yards owned by him in Happy, Dalhart, Slaton, Perryton, and Beaver, Oklahoma, nevertheless he also found time to render invaluable efforts for the benefit, development and growth of the city in which he lived, and was honored by his election as Mayor of the City of Canyon for three different terms; and

Whereas, Charles R. Burrow was also a dedicated Church man and was, in fact, a pillar of the local Presbyterian Church in Canyon for many years, but, greatest of all, his family received his loyal devotion and attention at all times; and

Whereas, Charles R. Burrow was not only a true and real friend to all persons in need, but fortunate was the person who was listed among his friends for, to those, his kindly acts and deeds of friendship were boundless; and

Whereas, Charles R. Burrow is survived by his wife, Mrs. Bula Wright Burrow, whom he married in Henrietta, Texas, and his daughter, Dorothy Burrow Neblett of Canyon, and two grandchildren; and

Whereas, The contributions made by this fine, public-spirited and family-loving citizen to the civic life of his community and the State of Texas will always be felt by his friends and associates; now, therefore, be it

Resolved, That the Senate of Texas pay tribute to this worthy citizen, Charles R. Burrow; and be it further

Resolved, That when the Senate adjourns today it do so in his honor and memory; that a page in the permanent Journal be devoted to the recording of this resolution; and that copies of this resolution be sent to members of his family as a token of respect and sympathy.

The resolution was read and was adopted by a rising vote of the Senate.